



# राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, सोमवार, १८ मई, १९९८/२८ बैशाख, १९२०

हिमाचल प्रदेश सरकार

H. P. MARKETING BOARD, HARI NIWAS, TOTU, SHIMLA-11

NOTIFICATION

*Shimla-11, the 25th April, 1998*

**No. HMB-(B)2-18/97.**—In exercise of the powers conferred under section 3(10) and 18(2) of the Himachal Pradesh Agricultural Produce Market Act, 1969 (Act No. 9 of 1970) and in pursuance of Rules 17 and 98 of the Himachal Pradesh Agricultural Produce Market Rules, 1971 and all other powers conferred under the provisions of the said Act and Rules, the Himachal Pradesh Marketing Board *vide* Resolution No. 15 of its meeting held on 17-3-1998 hereby pleased to make the Recruitment and Promotion Rules for the post of Legal Asstt. in the H. P. Marketing Board/Committees as per Annexure 'A' attached to this notification namely:—

**Short title and commencement.**—1. These Rules may be called Himachal Pradesh Marketing Board/Committees Legal Assistant Class-III Recruitment and Promotion Rules, 1998.

2. These Rules shall come in to force from the date of publication in the Rajpatra Himachal Pradesh.

*Repeal and saving.*—1. The Himachal Pradesh Marketing Board Class III & IV Recruitment and Promotion Rules adopted *vide* notification No. HMB/2-22/76, dated 28th August, 1992 are hereby repealed.

2. Notwithstanding such repealed, any appointment made or any thing done or any action taken under the Rules, under sub Rule I *supra* shall be deemed to have been validity made or done or taken under these Rules.

By order,

B. D. GOMA,  
Chairman.

#### ANNEXURE-A

### RECRUITMENT AND PROMOTION RULES FOR THE POST OF LEGAL ASSISTANT IN THE H. P. MARKETING BOARD, HARI NIWAS, TOTU, SHIMLA-11

- |  |   |
|--|---|
| 1. Name of the post                              | Legal Assistant                                 |
| 2. Number of posts                               | 1 (one)   |
| 3. Classification                                | Class-III (Non-Gazetted)<br>Ministrial Service. |
| 4. Scale of pay (Be given in expanded rotation)  | Rs. 5800-200-7000-220-8100-275-9200             |
| 5. Whether selection post or non-selection post. | Non Selection                                   |
| 6. Age for direct recruitment                    | Between 18 and 35 years :                       |

Provided that the upper age limit for direct recruit will not be applicable to the candidates already in service of the Government including those who have been appointed on *ad hoc* or on contract basis:

Provided further that if a candidate appointed on *ad hoc* basis had become overage on the date when he was appointed as such he shall not be eligible for any relaxation in the prescribed age limit by virtue of his such *ad hoc* or contract appointment:

Provided further that upper age limit is relaxable for scheduled castes/Scheduled Tribes/Other categories of persons to the extent permissible under the general or special order(s) of the Himachal Pradesh Government :

Provided further that the employees of all the Public Sector Corporations and Autonomous bodies who happened to be Government servants before absorption in Public Sector Corporation/Autonomous Bodies at the time of initial constitutions of such Corporations/Autonomous Bodies shall be allowed age concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the Public Sector Corporations/Autonomous Bodies who were/are subsequently appointed by such corporation/Autonomous Bodies and who are/were finally absorbed in the service of such Corporation/Autonomous Bodies after initial constitution of the Public Sector Corporations/Autonomous Bodies.

(1) Age limit for direct recruitment will be reckoned on the first day of the year in which the post(s) is/are advertised for inviting applications or notified to the Employment Exchanges or as the case may be.

(2) Age and experience in the case of direct recruitment relaxable at the discretion of the Himachal Pradesh Government in case the candidate is otherwise well qualified.

Minimum Educational and other qualification required for direct recruits.

(a) *Essential qualification:*

Should person a professional degree in Law or its equivalent from any recognised University in India with 3 years experience as Practising Advocate or 5 years experience while working in a Government/Semi Government Institutions.

(b) *Desirable qualification:*

Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

Whether age and educational qualifications prescribed for direct recruits will apply in the case of the promotees.

Age : N A.  
Educational Qualifications : N. A.

9. Period of probation, if any.

Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing.

10. Method of recruitment whether by direct recruitment or by promotion/deputation/transfer and the percentage of vacancies to be filled in by various methods.

100% by promotion failing which by direct recruitment.

11. In case of recruitment by promotion, deputation, transfer, grade from which promotion/ deputation/transfer is to be made.

By promotion from amongst the incumbents of Clerical cadre (including Clerks, Senior Clerks/Junior Assistants) subject to fulfilling the Educational Qualifications prescribed in Col. 7 above with 5 years regular service or regular combined with continuous *ad hoc* (rendered upto 31-3-1991) service :

Provided that for the purpose of promotion a select list of all eligible officials shall be prepared wherein the incumbents with higher pay scale shall be kept enbloc above the eligible persons and thereafter the incumbents next lower pay scale shall be placed below it and so on.

(1) In all cases of promotions, the *ad hoc* service rendered in the feeder post upto 31-3-1991, if any prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these Rules for promotion subject to the conditions :—

(i) That in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on *ad hoc* basis upto 31-3-1991) in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category/post/cadre shall be deemed to be eligible for consideration and placed above the junior persons in the field of consideration :

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment and Promotion Rules for the post, whichever is less :

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

*Explanation.*—The last proviso shall not render the junior incumbents ineligible for consideration for promotion of the senior ineligible persons happened to be ex-serviceman recruited under the provision of rule-2 of Demobilised Armed forces Personnel (Reservation of Vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rules-3 of Ex-Servicemen (Reservation of vacancies in the Himachal Pradesh Technical Services) Rule, 1985 and having been given the benefit of seniority thereunder.

- (2) Similarly, in all cases of confirmation *ad hoc* service rendered on the feeder post up to 31-3-91, if any, prior to the regular appointment against such post shall be taken into account towards the length of service :

Provided that *inter-se* seniority as a result of confirmation after taking into account, *ad hoc* service rendered upto 31-3-1991 shall remain unchanged.

2. If a Departmental Promotion Committee exists, what is its composition.
3. Essential requirement for a direct recruitment.

As may be constituted by the competent authority from time to time.

A candidate for appointment to any service or post must be:—

- (a) a citizen of India, or
- (b) A subject of Nepal, or
- (c) a subject of Bhutan , or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) A person of Indian origin who has migrated from Pakistan, Burma,

Sri Lanka, East African Countries of Kenya, Uganda, the United Republic of Tanzania (Formerly Tanganyika and Zanzibar), Zambia, Malwa, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Govt. of India.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the H.P. Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India.

14. Selection for appointment to post by direct recruitment.

Selection for appointment to the post in the case of direct rectt. shall be made on the basis of *viva voce* test if the H.P. Marketing Board or other recruiting authority, as the case may be, so consider necessary or expedient by a written test or practical test, the standard/syllabus, etc. of which, will be determined by the Board/ other recruiting authority as the case may be.

15. Reservation

The appointment to the service shall be subject to orders regarding reservation in the service for scheduled castes/scheduled tribes/backward classes/other categories of persons issued by the H.P. Government from time to time.

16. Power to Relax

Where the Board is of the opinion that it is necessary or expedient so to do, it may with the previous approval of the Govt. relax any of the provisions of these Rules with respect to any class or category of persons or posts.